

tered as aforesaid, that has heretofore been permitted or authorized by act of the Legislature to be consolidated or merged with any other railroad or railroads by purchase, sale, lease or otherwise. And provided further, that this section of this act shall not be so construed as to annul or in any way impair the force and effect of the provision last written in Section 2 of this act.

Sec. 2. Any railway corporation chartered since the first day of January, A. D. 1887, and which by its original charter or amendment thereto, filed since the first day of January, A. D. 1887, has further provided for the locating, constructing, maintaining, owning and operating of any extension or branch line or lines of railway, and which have failed or is about to fail to complete the same or any part thereof, within the time required by law, shall upon the payment of all its franchise tax, be and is hereby restored to and granted all and singular the rights, privileges and franchises acquired by such original charter, or by such amendment to its articles of incorporation, as if the same were filed and recorded in the office of the Secretary of State on the day of taking effect of this act, and such corporation shall, upon the payment of its franchise tax, be and is hereby authorized to project, complete, construct, own and operate any such extension and branch line or lines of railway under and as provided for in its charter or in any such amendment to its articles of incorporation; provided, that such extensions and branch lines of railway shall be by such corporation completed and put in running order at the rate of at least ten miles in one year from the taking effect of this act, and twenty additional miles for each and every year thereafter until all of the branch line or lines or extensions as provided for are completed. And provided further that the provisions of this act shall not apply to any corporation or railroad company which has less than twenty miles of road to build in order to complete the line as originally contemplated by the original charter, or the terms thereof, which shall fail to construct and put in operation at least ten miles of the line originally contemplated by its charter, within twelve months from and after the passage of this act.

Sec. 3. The fact that no good can result to the State from the forfeiture provided for against this act, and that the public interest and convenience will be promoted, and citizens in many parts of the State having invested in railway enterprises subject to great loss unless

the relief herein provided for is granted, therefore an emergency and imperative public necessity authorizing the suspension of the constitutional rule requiring bills to be read on three several days is created, and it is so suspended, and demanding that this act take effect and be in force from and after its passage, and it is so enacted.

And find the same correctly enrolled, and have this day at 4:30 o'clock p. m., presented the same to the Governor for his approval.

MASTERSON, Chairman.

THIRTIETH DAY.

Senate Chamber,

Austin, Texas,

Monday, February 18, 1907.

Senate met pursuant to adjournment.

President Pro Tem. Skinner in the chair.

Roll call, quorum present, the following answering to their names:

Alexander.	Mayfield.
Chambers.	Meachum.
Glasscock.	Murray.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Smith.
Harbison.	Stokes.
Harper.	Stone.
Hudspeth.	Terrell.
Looney.	Veale.
Masterson.	Watson.

Absent.

Barrett.	Holsey.
Brachfield.	Kellie.
Cunningham.	Paulus.
Faust.	Willacy.
Greer.	

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of Friday, on motion of Senator Green, the same was dispensed with.

EXCUSED.

On motion of Senator Green, Miss Nellie Lowday, committee clerk, was excused for today on account of sickness.

On motion of Senator Stone, Senator Stokes was excused from attendance upon the Senate indefinitely on account of sickness.

(See Appendix for committee reports, petition and memorials.)

BILLS AND RESOLUTIONS.

By Senator Looney:

Senate bill No. 189, A bill to be entitled "An Act to require the collector of taxes for each county to make up a list of the delinquent taxes and to collect same, and fixing his compensation therefor."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Veale:

Senate bill No. 190, A bill to be entitled "An Act to amend Chapter 128 of the Acts of the Regular Session of the Twenty-sixth Legislature of the State of Texas, entitled 'An Act providing a mode by which horses, mules, jacks, jennets and cattle may be prohibited from running at large in the following counties or any subdivision of said counties, viz.: Cooke, Bell, Ellis, Montague, Fayette, Johnson, Collin, Rockwall, Lamar, Milam, Denton, Falls, Navarro, Fannin, Hunt, Tarrant, Grayson, Guadalupe, Dallas, Austin and Brazos,' as amended by Chapter 24 of the Acts of the Twenty-seventh Legislature of the State of Texas, and as amended by Chapter 71 of the Acts of the Twenty-eighth Legislature of the State of Texas, by adding thereto Section 20a, providing that each and every railroad company having a line of railway in any county or subdivision thereof where the provisions of the preceding sections of said chapter have been or may hereafter be adopted, shall be liable to the owner for the value of all stock killed or injured by the locomotives and cars of such railroad company in running over the respective railways which may be recovered by suit before any court having competent jurisdiction of the amount, and providing that if the railroad company shall fence its road it shall only then be liable in cases of injury resulting from want of ordinary care; as amended by Chapter 117 of the Acts of the Twenty-ninth Legislature, so as to require railway companies to make reports of all stock killed or injured in the operation of their trains to the county clerks of the State, and declaring an emergency."

Read first time, and referred to Committee on Internal Improvements.

By Senator Veale:

Senate bill No. 191, A bill to be entitled "An Act to restore Hale county and place it under the operation of Articles 5002 to 5043, Revised Statutes, providing for the inspection of hides and

animals, as to provide for the appointment of an inspector of hides and animals, and declaring an emergency."

Read first time, and referred to Committee on Stock and Stock Raising.

By Senator Hudspeth:

Senate bill No. 192, A bill to be entitled "An Act to prescribe the time of holding court in the various counties comprising the Thirty-eighth Judicial District of the State of Texas, and to repeal all laws in conflict herewith."

Read first time, and referred to Committee on Judicial Districts.

By Senator Mayfield:

Senate bill No. 193, A bill to be entitled "An Act to regulate the practice in the district, county and justice courts in this State; providing a penalty against the judges thereof for wrongfully assuming jurisdiction contrary to law, giving jurisdiction to the district court of the county where the defendants or either of them reside at the time the wrongful suit was brought; repealing all laws in conflict, and declaring an emergency clause."

Read first time, and referred to Judiciary Committee No. 2.

Morning call concluded.

HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, February 18, 1907.

Hon. A. B. Davidson, President of the Senate,

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 49, A bill to be entitled "An Act to amend Sections 1 and 2, Chapter 71, of the Acts of the Twenty-eighth Legislature of the State of Texas, being an act to amend Section 1 of Chapter 24 of the Acts of the Twenty-seventh Legislature of the State of Texas," etc.

Senate bill No. 80, A bill to be entitled "An Act creating the Blossom Independent School District in Lamar county, Texas."

Senate bill No. 165, A bill to be entitled "An Act to authorize Galveston county to build and own the combination roadway and bridge from mainland to Galveston Island across Galveston Bay to connect as part of the roadways of the county on the island and mainland, and the county to issue bonds for same on taxation; also establishing three-mile limit and condemnation proceedings and providing for the right of

way; also to authorize all corporations using said structure to buy the bonds issued by the county, and to lease the right of easement of user of portion of said structure to such county on terms provided by this act and agreed on with the county commissioners court, with an emergency clause."

House bill No. 413, A bill to be entitled "An Act to amend Sections 6 and 9 of an act of the Twenty-ninth Legislature, Chapter 47, General Laws, entitled 'An Act creating an independent school district to be known as the Ballinger Independent School District, including within its limits the municipal corporation of the town of Ballinger, and to provide for the creation of a board of trustees thereof, and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers and authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to pay current expenses in the maintenance and support of said schools, and further prescribing the duties and authorities of said board.'"

House bill No. 434, A bill to be entitled "An Act creating an independent school district, for free school purposes only, in the counties of Johnson and Hill, to be known as the Grandview Independent School District, and to have all the rights, powers and duties of independent school districts formed by the incorporation of towns and villages for free school purposes only."

House bill No. 196, A bill to be entitled "An Act to provide a charter for the city of El Paso, in El Paso county, Texas, and to fix the boundaries thereof; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

House bill No. 292, A bill to be entitled "An Act to amend Chapter 144 of the General Laws of the Twenty-ninth Legislature, creating Midlothian Independent School District so as to more clearly define the boundaries of said district, and validating all acts of said incorporation, and declaring an emergency."

House Concurrent Resolution No. 15, To require the assessors of taxes to take a census of Confederate soldiers and sailors, and the widows of such soldiers and sailors, residents of this State, and to make report of such census to the Comptroller.

BOB BARKER,

Chief Clerk, House of Representatives.

SENATE BILL NO. 8—PASSAGE OF.

On motion of Senator Looney, the pending order of business (Senate bill No. 65) was suspended, and the Senate took up, out of its order, Senate bill No. 8.

The Chair laid before the Senate, on third reading,

Senate bill No. 8, A bill to be entitled "An Act to prohibit railway companies, street railway companies, interurban railway companies or any other chartered common carrier or transportation companies, or express or sleeping car companies, or the receivers or lessees thereof, or their officers, agents or servants in this State, from carrying persons free of charge, or carrying property free of charge, or giving to or for any person or passenger a free pass or authority to travel or pass free or to have property transported free over any line or lines owned, operated or controlled by any such company in this State, and naming certain persons who are excepted from the prohibition; also prohibiting any of said companies, their officers, agents, employes, receivers or lessees from discriminating among persons in rates and service; prohibiting any person not excepted from using or enjoying such free pass or free transportation, or from becoming the beneficiary of any discrimination and prescribing suitable penalties, fines and imprisonment for the violation of the provision of the act, providing for prosecutions, fixing venue of suits, and appropriating any penalties that may be collected hereunder."

The bill was read, and

Senator Hudspeth offered the following amendment:

Amend Senate bill No. 8 by adding a new section, to be numbered Section 12, and to read as follows:

"Sec. 12. The provisions of this act shall not be construed to apply to any bona fide contract between a railroad company and any person, firm or corporation, entered into in good faith, which provides for the issuance of transportation as an incident of such contract, and which contract insures to the benefit of such railroad company in the operation of its business and is not a subterfuge to cover the issuance of transportation as a gratuity."

HUDSPETH,
SENTER.

Senator Terrell raised the point of order that the substance matter in the amendment had been already acted on

by the Senate, and in that it had been voted down, could not again be acted on.

The Chair (President Pro Tem. Skinner) overruled the point of order.

Senator Smith offered the following amendment to the amendment:

Amend the amendment by adding thereto the following: "And provided further, that the provisions of this act shall not prevent peace officers from having and receiving free transportation over any of said companies' roads, nor shall it prevent any of such companies from giving free transportation to any peace officer within the meaning of this act."

Senator Senter made a point of order that the amendment to the amendment was not germane to the amendment, and

The Chair overruled the point of order.

By unanimous consent, the amendment to the amendment was withdrawn.

Senator Smith moved to table the amendment.

The yeas and nays were called for, but the roll call developed no quorum voting, the following answering to their names:

Yeas—14.

Alexander.	Meachum.
Chambers.	Murray.
Green.	Skinner.
Griggs.	Smith.
Harper.	Stone.
Looney.	Terrell.
Masterson.	Veale.

Nays—6.

Glasscock.	Hudspeth.
Grinnan.	Senter.
Harbison.	Watson.

Absent.

Barrett.	Holsey.
Brachfield.	Kellie.
Cunningham.	Mayfield.
Faust.	Paulus.
Greer.	Willacy.

Absent—Excused.

Stokes.

Senator Hudspeth moved a call of the Senate for the purpose of securing and maintaining a quorum. The motion being duly seconded, was so ordered.

The roll was called, the following Senators answering to their names:

Alexander.	Griggs.
Chambers.	Grinnan.
Glasscock.	Harbison.
Green.	Harper.

Hudspeth.	Skinner.
Looney.	Smith.
Masterson.	Stone.
Meachum.	Terrell.
Murray.	Veale.
Senter.	Watson.

Absent.

Barrett.	Holsey.
Brachfield.	Kellie.
Cunningham.	Mayfield.
Faust.	Paulus.
Greer.	Willacy.

Absent—Excused.

Stokes.

At the conclusion of the above roll call, Senator Mayfield was announced, which completed a quorum.

Action then recurred on the motion by Senator Smith to table the amendment, which motion to table was adopted by the following vote:

Yeas—15.

Alexander.	Meachum.
Chambers.	Murray.
Green.	Skinner.
Griggs.	Smith.
Harper.	Stone.
Looney.	Terrell.
Masterson.	Veale.
Mayfield.	

Nays—6.

Glasscock.	Hudspeth.
Grinnan.	Senter.
Harbison.	Watson.

Absent.

Barrett.	Holsey.
Brachfield.	Kellie.
Cunningham.	Paulus.
Faust.	Willacy.
Greer.	

Absent—Excused.

Stokes.

Here Senators Greer and Brachfield were announced at the bar of the Senate and marked present.

Senator Smith moved the previous question on the final passage of the bill. The previous question being duly seconded, was ordered by the following vote:

Yeas—17.

Brachfield.	Grinnan.
Chambers.	Harbison.
Glasscock.	Harper.
Green.	Looney.
Greer.	Mayfield.
Griggs.	Murray.

Skinner.	Terrell.
Smith.	Veale.
Stone.	

Nays—6.

Alexander.	Meachum.
Hudspeth.	Senter.
Masterson.	Watson.

Absent.

Barrett.	Kellie.
Cunningham.	Paulus.
Faust.	Willacy.
Holsey.	

Absent—Excused.

Stokes.

The bill was read third time, and passed by the following vote:

Yeas—25.

Alexander.	Hudspeth.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stone.
Grinnan.	Terrell.
Harbison.	Veale.
Harper.	

Nays—1.

Watson.

Absent.

Holsey.	Paulus.
Kellie.	Willacy.

Absent—Excused.

Stokes.

Senator Looney moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

REASONS FOR VOTING.

I vote "aye" on Senate bill No. 8, for the reason that I am in favor of prohibiting legislators from riding on free passes, also every other public official that might by virtue of the office he holds be in a position to grant special favors to railroad companies. I am bitterly opposed to excluding newspapers from making legitimate contracts for advertising with railroad companies, and used every effort to adopt an amendment which would give newspapers that privilege, but was voted down. I take the

position that country newspapers are the moulders of public opinion, and 99 per cent of them are always on the side of the plain people on every public question against the corporations. I sincerely trust that the House will put on this amendment giving newspapers a right to make legitimate contracts with anyone.

HUDSPETH.

The bill as it stood when offered in the Senate was an anti-free pass measure conforming substantially to the Democratic platform on this subject, and providing for the correction of the abuses which justly provoked the demand for that platform. The changes which have been made have to a large degree transformed the bill from an anti-free pass bill to a rate bill, which makes serious and unjust discriminations in several of its provisions. In that form it seeks to deal with matters within the jurisdiction of the Railroad Commission and with which it has dealt from time to time. It is a dangerous precedent for the Legislature to withdraw, in whole or in part, the duty of dealing with discriminations from the Railroad Commission, and this can not be done without declaring by implication that the Commission has not performed its duty, and can not be further trusted to prevent discriminations. The amendment offered by Senator Hudspeth and myself would exclude all bona fide contracts for exchange of service from the operations of this act, and leave the Railroad Commission to deal with such matters whenever it may see proper to do so.

Section 3 as it stands in the printed bill is indefinite, and may be construed to prohibit railroads from making special rates for conventions, fairs and similar occasions. Senators Hudspeth, Masterson, Alexander and myself have prepared an amendment to correct this defect, and I attempted to offer it, but was cut off by the previous question. This amendment reads as follows:

Amend Section 3, as numbered in the printed bill, by adding thereto the following:

"Provided, this section shall not be construed to prohibit the making of special rates for special occasions or under special conditions, but no such rate shall ever be made without first obtaining authority therefor from the Railroad Commission."

HUDSPETH,
SENER.
MASTERTON,
ALEXANDER.

Notwithstanding the serious defects in the bill as amended by the Senate, I shall vote for it, because I confidently believe the House will correct them and recon-vert it to an anti-pass measure.

SENTER.

HOUSE BILL NO. 208.

On motion of Senator Grinnan, the pending order of business (Senate bill No. 65) was suspended, and the Senate took up, out of its order, House bill No. 208.

The committee report, which provided that the bill be not printed, was adopted, on motion of Senator Grinnan.

The Chair laid before the Senate, on second reading,

House bill No. 208, A bill to be entitled "An Act to validate and legalize all sales of real estate belonging or that belonged to Coleman county, situated in the town of Coleman, in Coleman county, heretofore made at private sale for and in behalf of said county by J. F. Miles and W. O. Read, each in his representative capacity as commissioner, under appointment of the commissioners court of said county by orders entered upon the minutes, to sell and dispose of real estate of said county situated in said town, and also validating all conveyances of said real estate made by said commissioners as such in consummating such sales."

The bill was read second time, and passed to third reading.

EXCUSED.

On motion of Senator Harbison, Senators Barrett and Faust were excused from attendance upon the Senate for this morning, on account of a delayed train.

SENATE BILL NO. 16.

Senator Looney called up

Senate bill No. 16, A bill to be entitled "An Act making it an offense punishable by fine and removal from office for any executive, legislative, ministerial or judicial officer of this State, county, city or other municipal subdivision of the State, to appoint or vote for the appointment of any person related to him by affinity or consanguinity within the third degree, to any clerkship, office, position, employment or duty in any department of the government of which such executive, legislative, ministerial or judicial officer may be a member; or any person so related to any other such officer, in consideration of the appointment or vote for the appointment by such other offi-

cer, of any person so related to the officer making or voting for such appointment; prohibiting the payment of any such ineligible person out of any public funds, and providing for suitable punishment and removal from office for the violation of this act, and fixing venue, and providing an emergency."

And moved that the Senate concur in the following House amendments:

1.

Amend by striking out all after the word "State," in line 31, page 2, down to and including the word "him," in line 1 of page 3.

(Signed)

BRIGGS,
WILMETH.

2.

Amend the bill by striking out the last sentence of Section 4, beginning with the word "nor," on page 3.

(Signed)

McKINNEY,
DEAN.

Senator Murray moved, as a substitute, that the Senate do not concur in the amendments.

The Chair here instructed the door-keeper to open the doors, as the call of the Senate had been dissolved.

Question then recurred on the substitute motion by Senator Murray, which motion was lost by the following vote, the yeas and nays being called for:

Yeas—9.

Alexander.	Murray.
Faust.	Stone.
Glasscock.	Veale.
Griggs.	Watson.
Hudspeth.	

Nays—17.

Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Green.	Senter.
Greer.	Skinner.
Grinnan.	Smith.
Harbison.	Terrell.
Harper.	

Absent.

Holsey.	Paulus.
Kellie.	Willacy.

Absent—Excused.

Stokes.

Question then being on the motion to concur,

Senator Brachfield offered the following motion:

Concur with the following amendment:

That any person now employed that would come within the prohibitions shall resign within ninety days from the final passage of this bill, and upon his refusal to do so it shall be unlawful for such person to draw any pay.

Senator Murray made the point of order on the above by Senator Brachfield, that the only thing that the Senate could do was to concur or not concur, and could not concur by adding additional amendments.

The Chair sustained the point of order.

Question then being on the motion to concur in the amendments, and

Senator Terrell moved to reconsider the vote by which the substitute motion by Senator Murray was lost, and

Senator Looney moved to table the motion, which motion was adopted by the following vote:

Yeas—15.

Barrett.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Green.	Senter.
Greer.	Skinner.
Grinnan.	Smith.
Harbison.	Watson.
Looney.	

Nays—11.

Alexander.	Hudspeth.
Brachfield.	Murray.
Faust.	Stone.
Glasscock.	Terrell.
Griggs.	Veale.
Harper.	

Absent.

Holsey.	Paulus.
Kellie.	Willacy.

Absent—Excused.

Stokes.

Question then being on the motion to concur in the amendments, the same was adopted by the following vote:

Yeas—19.

Alexander.	Harper.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Green.	Senter.
Greer.	Skinner.
Griggs.	Smith.
Grinnan.	Terrell.
Harbison.	

Nays—7.

Faust.	Stone.
Glasscock.	Veale.
Hudspeth.	Watson.
Murray.	

Absent.

Holsey.	Paulus.
Kellie.	Willacy.

Absent—Excused.

Stokes.

Senator Looney moved to reconsider the vote by which the amendments were concurred in, and lay that motion on the table.

The motion to table prevailed.

SENATE JOINT RESOLUTION NO. 5.

On motion of Senator Griggs, the pending order of business (Senate bill No. 65) was suspended, and the Senate took up, out of its order, Senate Joint Resolution No. 5.

The Chair then laid before the Senate, on third reading,

Senate Joint Resolution No. 5, Joint Resolution to amend Section 18, Article 5, of the Constitution of the State of Texas, so as to provide for subsequent redistricting of a county into commissioners precincts, defining the manner thereof; for submitting same to the electors of the State, and making an appropriation therefor.

The resolution was read third time, and passed by the following vote:

Yeas—23.

Alexander.	Masterson.
Barrett.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Senter.
Glasscock.	Skinner.
Green.	Smith.
Griggs.	Stone.
Grinnan.	Terrell.
Harbison.	Veale.
Hudspeth.	Willacy.
Looney.	

Nays—3.

Brachfield.	Harper.
Greer.	

Absent.

Holsey.	Paulus.
Kellie.	Watson.

Absent—Excused.

Stokes.

Senator Griggs moved to reconsider the vote by which the resolution was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE CONCURRENT RESOLUTION No. 15.

On motion of Senator Stone, the pending order of business (Senate bill No. 65) was suspended, and the Senate took up, out of its order, House Concurrent Resolution No. 15.

The Chair laid before the Senate

House Concurrent Resolution No. 15, To require the assessors of taxes to take a census of Confederate soldiers and sailors, and the widows of such soldiers and sailors, residents of this State, and to make report of such census to the Comptroller.

The resolution was read and adopted.

SENATE JOINT RESOLUTION NO. 13.

On motion of Senator Brachfield, the pending order of business (Senate bill No. 65) was suspended, and the Senate took up out of its order, Senate Joint Resolution No. 13.

The Chair laid before the Senate, on second reading,

Senate Joint Resolution No. 13, Joint Resolution proposing an amendment to Article 4 of the Constitution of the State of Texas by adding thereto a section to be known as Section 27, providing for a Department of Agriculture, with a Bureau of Labor.

The resolution was read, and ordered engrossed.

SENATE BILL NO. 151.

On motion of Senator Smith, the pending order of business (Senate bill No. 65) was suspended, and the Senate took up, out of its order, Senate bill No. 151.

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate, on second reading,

Senate bill No. 151, A bill to be entitled "An Act to amend Section 6 of Chapter 102, of the Acts of the Regular Session of the Twenty-sixth Legislature, entitled 'An Act to promote agriculture and stockraising, and to prohibit the hunting with firearms or dogs upon the enclosed or posted lands of another, in all counties within this State, not specially named as exempt from the provisions of this act,' as amended by the Twenty-eighth Legislature, and as amended by Chapter 71a, General Laws of the Twen-

ty-ninth Legislature, to provide penalties, and with an emergency clause."

Senator Harper offered the following amendment, which was adopted:

Amend Section 1 by striking out therefrom the following counties, Limestone, McLennan, Orange, Comal, Jasper.

HARPER,
STONE.

Senator Harbison offered the following amendment, which was adopted:

Amend the bill by striking out the word "Cook," in line 27 and the word "Grayson," in line 29.

Senator Glasscock offered the following amendment, which was adopted:

Amend by striking out the words "Burnet" and "Lampasas" wherever they occur in the bill.

(Senator Murray in the chair.)

Senator Veale offered the following amendment, which was adopted:

Amend Senate bill No. 151 by striking out the words "Archer, Dallas and Ellis, Parker and Tarrant" in Section 6 of the bill.

VEALE,
SENER,
SKINNER,
ALEXANDER.

Senator Faust offered the following amendment, which was adopted:

Amend Section 1 by striking out therefrom "Hays county."

Bill read second time, and ordered engrossed.

On motion of Senator Smith, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Alexander.	Looney
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Senter.
Glasscock.	Skinner.
Green.	Smith.
Greer.	Stone.
Griggs.	Terrell.
Grinnan.	Veale.
Harper.	Watson.
Hudspeth.	

Absent.

Harbison.	Paulus.
Holsey.	Willacy.
Kellie.	

Absent—Excused.

Stokes.

The bill was read third time, and passed by the following vote:

Yeas—25.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Senter.
Glasscock.	Skinner.
Green.	Smith.
Greer.	Stone.
Griggs.	Terrell.
Grinnan.	Veale.
Harper.	Watson.
Hudspeth.	

Absent.

Harbison.	Paulus.
Holsey.	Willacy.
Kellie.	

Absent—Excused.

Stokes.

Senator Smith moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 118.

On motion of Senator Hudspeth, the pending order of business (Senate bill No. 65) was suspended, and the Senate took up, out of its order, Senate bill No. 118.

The Chair laid before the Senate, on second reading,

Senate bill No. 118. A bill to be entitled "An Act to authorize the Commissioner of the General Land Office, with the consent and approval of the Governor and Attorney General, to sell the guayule, lechuguilla, sotol and other vegetation on school land, and to enter into contracts for the purpose of determining the commercial value of those and all other substances found upon public free school land."

The question was on the committee report, which was favorable, with amendments, and the same was adopted, on motion of Senator Hudspeth.

Senator Hudspeth offered the following amendment:

Amend the bill by striking out the word "four," in line 10, on page 2, of printed bill, and inserting the word "seventeen."

Senator Terrell offered the following amendment, which was adopted:

Amend the bill as amended by adoption of committee report by striking out all of said bill which was added by the adoption of the committee report.

Senator Glasscock offered the following amendment, which was adopted:

Amend by striking out of the printed bill all after the word "sotol," in line 16, page 1, Section 1, down to the word "growing," in line 17.

Senator Hudspeth offered the following amendment, which was adopted:

Amend the bill by striking out in line 11, page 1, "these," down to word "substances."

The bill was read and ordered engrossed.

EXCUSED.

On motion of Senator Looney, Senator Greer was excused from attendance upon the Senate for the morning call on account of delayed train.

On motion of Senator Barrett, Senator Willacy was excused from attendance upon the Senate for today on account of sickness.

ADJOURNMENT.

On motion of Senator Meachum, the Senate, at 1 o'clock p. m. adjourned until tomorrow morning at 10 o'clock.

APPENDIX.

PETITIONS.

By Senator Stone:

Waco, Texas, February 12, 1907.

To the Hon. T. P. Stone, A. M. Kennedy, H. B. Terrell and S. E. Stratton, Representatives from McLennan county.

Gentlemen: Realizing the great demand for legislation against unsanitary shops, unskilled and incompetent workmen in the barber fraternity, and for the protection of the public against such the barbers of Texas have drafted and caused to be brought before the present Legislature a bill which, in our judgment, will to a great extent relieve the situation, and we, the undersigned barbers of Waco earnestly solicit your service both in vote and influence for its passage.

Yours very truly,

J. A. Richards, R. F. Magruder, Dolph Corley, D. T. Swink, Will Moore, A. T. Lafremiere, T. N. Davis, J. H. Knowls,

G. A. Gregory, A. P. Deal, L. J. Moneno, L. Angi, W. T. Wheatley, J. B. Witty, W. J. Morgan, C. A. McKinney, Ed Hoxworth, J. P. Bahl, J. Q. Wofford, R. R. Whitehead, L. T. Chesney, W. W. Bell, C. A. Greene, C. T. Welch, D. H. Smith, A. W. Whittenberg, C. L. Perrin.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, February 18, 1907.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Towns and City Corporations, to whom was referred

Senate bill No. 173, A bill to be entitled "An Act to amend the city charter of the city of Dallas, and to amend an act to be entitled an act to incorporate the city of Dallas and to grant it a new charter, approved May 9, 1899, and the acts amendatory of said act by adding thereto Section 120b, and by confirming, ratifying and validating certain series of municipal coupon bonds issued by the city of Dallas by virtue of certain ordinances passed by the city council of the city of Dallas under the charter of the city of Dallas."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

CHAMBERS, Chairman.

Committee Room,
Austin, Texas, February 18, 1907.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Towns and City Corporations, to whom was referred

Senate bill No. 83, A bill to be entitled "An Act to amend Article 421 of Chapter 4, Title 18, of the Revised Civil Statutes of Texas, relating to the powers and duties of city councils and boards of aldermen, providing that cities and towns are authorized to manufacture and use for public purposes gas, electricity or any other fluid or substance for illuminating, heating or power-producing purposes, and in connection with the operation of any such plant to sell to the inhabitants of any such city or town for commercial purposes any such gas, electricity or other fluid or substance."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

CHAMBERS, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, February 18, 1907.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Towns and City Corporations, to whom was referred

House bill No. 14, A bill to be entitled "An Act to authorize the city council of all cities and towns incorporated under the General Laws of this State to regulate the charges and fix the rates to be charged by all water companies or persons engaged in supplying water, gas and light to the public within the limits of said cities or towns, and occupying the streets and other public places for that purpose, and to prescribe reasonable rules and regulations therefor, and to protect said companies and corporations or persons from imposition."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do not pass.

CHAMBERS, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, February 18, 1907.
Hon. A. B. Davidson, President of the Senate.

Sir: We, a minority of your Committee on Towns and City Corporations, to whom was referred

House bill No. 14, A bill to be entitled "An Act to authorize the city council of all cities and towns incorporated under the General Laws of this State to regulate the charges and fix the rates to be charged by all water companies or persons engaged in supplying water, gas and light to the public within the limits of said cities or towns, and occupying the streets and other public places for that purpose, and to prescribe reasonable rules and regulations therefor, and to protect said companies and corporations or persons from imposition."

Have had the same under consideration, and beg to report same back to the Senate with the recommendation that it do pass.

SENER,
SMITH.

Committee Room,
Austin, Texas, February 18, 1907.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Towns and City Corporations, to whom was referred

Senate bill No. 97, A bill to be entitled "An Act to provide a charter for the city of El Paso, in El Paso county, Texas, and to fix the boundaries thereof; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and be not printed.

CHAMBERS, Chairman.

(Floor Report.)

Committee Room,
Austin, Texas, February 18, 1907.
Hon. A. B. Davidson, President of the Senate.

Sir: We, the undersigned members of your Committee on Educational Affairs, to whom was referred

House bill No. 67, A bill to be entitled "An Act creating an independent school district to be known as the Quanah Independent School District, including within its limits the municipal corporation of the town of Quanah, Hardeman county, and to provide for the creation of a board of trustees thereof, and authorizing the board of trustees to levy, assess and collect special taxes and conferring upon the board of trustees plenary powers and authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same and to pay current expenses in the maintenance and support, and further prescribing the duties and authorities of said board,"

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass, and be not printed.

Barrett, Grinnan, Harper, Meachum, Senter, Green, Glasscock.

Committee Room,
Austin, Texas, February 18, 1907.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate Joint Resolution No. 13, Pro-

posing an amendment to Article four (4) of the Constitution of the State of Texas, by adding thereto a section to be known as Section 27, providing for a Department of Agriculture, with a Bureau of Labor.

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

Committee Room,
Austin, Texas, February 15, 1907.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 157, A bill to be entitled "An Act to amend Section 12 and Section 20 of Chapter 128 of the Acts of the Twenty-sixth Legislature, entitled 'An Act providing the mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in certain counties, or in any subdivision of the said counties, so that when an election under said law shall be in favor of the stock law that the certificate thereto shall be prima facie evidence of a compliance with the law to put the same in force'; also to provide for the punishment of any one violating the provisions of said act, and adding thereto Section 20a and Section 20b, and declaring an emergency,"

And find the same correctly engrossed.

TERRELL, Acting Chairman.

THIRTY-FIRST DAY.

Senate Chamber,
Austin, Texas,
Tuesday, February 19, 1907.

Senate met pursuant to adjournment.
Lieutenant Governor A. B. Davidson in the chair.

Roll call, quorum present, the following answering to their names:

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Smith.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.